

AMENDMENTS TO THE DRAWINGS

As shown in the attached replacement drawing sheet, please amend item 210 of Fig. 2 from “Orthogonal Code Generator” to “Walsh Code Generator”.

REMARKS

Claims 1-28 are pending in the application. The Examiner has objected to the drawings. The Examiner has maintained his provisional rejection of Claims 1-28 under obviousness-type double patenting.

Regarding the objection to the drawings, the Examiner stated that Fig. 2, submitted with the prior Response, must be labeled "Replacement Sheet" in compliance with 37 C.F.R. 1.121(d). Fig. 2 with the proper labeling is attached hereto. Withdrawal of the objection to the drawing is respectfully requested.

Regarding the provisional rejection of Claim 1-28 under obviousness-type double patenting, the Examiner maintains that these claims are unpatentable over the claims of copending Application No. 09/957,967 (Your Ref. P9882; Our Docket No. 678-734). On February 8, 2005 an Ex Parte Quayle action was issued in 09/957,967.

Although the present invention is similar in some aspects to the cited U.S. Patent Application No. 09/957,967 (hereinafter referred to as the '967 application), the present invention also differs from that which is disclosed in the '967 application.

The claims of the present application and the cited reference relate to determining a puncturing pattern of a symbol output from a Reed-Muller encoder. A method for determining the puncturing pattern in accordance with the present invention punctures four consecutive coded symbols from a coded symbol selected from 1st, 3rd, 5th, 7th, 9th and 11th coded symbols of the stream of 16 coded symbols. On the other hand, a method for determining the puncturing pattern according to the '967 application is to puncture coded symbols of positions having intervals of three symbols beginning at a coded symbol of the selected position, after selecting 2nd coded symbol position or 3rd coded symbol position among sixteen coded symbols.

Independent Claims 1, 4, 7, 10, 13, 16, 19, 22 and 25-28 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23 and 24, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23 and 24 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-28, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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